

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

May 22, 2000

D033204 Garcia v. California State Personnel Board/Department of the Youth Authority

The order granting a writ of mandamus is reversed. Benke, Acting P.J.; McDonald, J., O'Rourke, J.

D032609 People v. Willard

Judgment affirmed. Benke, Acting P.J., I Concur: O'Rourke, J.; I Concur in the Result: McDonald, J.

D032179 Dillon et al. v. Burgart

The judgment, insofar as it found Burgart liable to sisters for legal malpractice, is affirmed. The damage award shall be reduced and modified to an award of \$167,351.63, and as so modified the judgment shall be affirmed, if within thirty days after the filing of our decision sisters file with this court two copies of a consent to such modification and reduction of the damage award, (Cal Rules of Court, rule 24(c).) If such consent is not filed, the award of damages shall be reversed and the matter shall be remanded for a new trial solely on the issue of damages. Each party shall bear her own costs on appeal. McDonald, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D030706 Berger v. Kung et al.

The judgment is affirmed. Benke, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D033594 In re Christopher E. et al., Juveniles

Judgment affirmed. McIntyre, J.; We Concur: Haller, Acting P.J., O'Rourke, J.

D034361 In re Ian Y. et al., Juveniles

Judgment affirmed. Haller, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D030804 Cruz et al. v. Cox et al.

The judgment is affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., McDonald, J.

D035571 Dallo etc. v. Superior Court of San Diego County/Morales

The petition is denied.

D032096 People v. Lopez

The petition for rehearing is denied.

D035670 In re Smith on Habeas Corpus

The petition is denied.

D035418 Tuck v. Oates

The appeal is dismissed without prejudice as the denial of a motion to quash summons is not appealable.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

May 23, 2000

D031822 People v. Scott et al.

We reverse and remand Chase's conviction for pandering. We vacate three of Scott's indeterminate life sentences and remand for resentencing. We affirm the judgment in all other respects. O'Rourke, J.; We Concur: Benke, Acting P.J., McDonald, J.

D031379 Bakall v. San Diego County Water Authority

The request for publication is denied.

D035645 Komori v. San Diego County Superior Court/People

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

May 24, 2000

D034749 People v. Baltazar

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

D031387 People v. Alvarez

The judgment is affirmed, except that the conviction on count 2 for forcible lewd act (Pen. Code, 288, subd. (b)) and the related enhancement (Pen. Code, 667.61, subd. (d) (4)) are reversed and the matter is remanded. McDonald, J; I Concur: Work, Acting P.J.; I Concur in Result (opinion): Benke, J.

D033863 People v. Franklin

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D033424 Colliers Iliff Thorn & Company, INC.

D033623 Colliers Iliff Thorn & Company, INC.

Consolidated. The judgment and order are affirmed. Kremer, P.J.; We Concur; Nares, J., O'Rourke, J.

D032324 Garcia et al. v. International Cable Service et al.

The order on the motion for new trial is reversed. The original jury verdict is reinstated. Costs awarded to defendants. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D031786 Pacific Indemnity Company v. Bellefonte Insurance Company

We reverse the judgment insofar as it concerns the amount of Pacific's contribution for defense costs, and remand the matter for further proceedings in conformance with this opinion. In all other respects, the judgment is affirmed. The parties are to bear their own costs on appeal. CERTIFIED FOR PUBLICATION. Benke, Acting P.J.; We Concur: Huffman, J., Haller, J.

D035672 Littlejohn v. Superior Court of San Diego County/People

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

May 25, 2000

D032321 People v. Mapes

The judgment is affirmed. Benke, J.; We Concur: Work, Acting P.J., McDonald, J.

D033552 People v. Deras

The judgment is affirmed. Benke, J.; We Concur: Work, Acting P.J., McDonald, J.

D034139 People v. Superior Court of Imperial County/Barrett

Let a writ issue directing the superior court to vacate its order of August 24, 1999, and to enter new orders consistent with this opinion. The stay will be vacated when this opinion is final as to this court.
CERTIFIED FOR PUBLICATION. Haller, J.; We Concur: Kremer, P.J., Huffman, J.

D035667 Amura v. Superior Court of San Diego County/People

The petition is denied.

D033895 People v. Jackson

Judgment affirmed. Nares, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D033739 People v. Turner

Judgment affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D034497 In re Frank L., a Juvenile

The order is affirmed. Work, J.; We Concur: Kremer, P.J., Huffman, J.

**D035056 Maria M. v. San Diego County Superior Court/ San Diego County Health and
Human Services Agency**

The petition is denied. O'Rourke, J.; We Concur: Kremer, P.J., Work, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

May 26, 2000

D033889 People v. Amos

Judgment affirmed. Nares, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D033246 In re Miguel M., a Juvenile

The true finding of receiving stolen property is reversed. In all other respects, the judgment is affirmed. The juvenile court is directed to correct its judgment and forward a copy to CYA. Kremer, P.J.; We Concur: Work, J., McDonald, J.

D033682 People v. Sephus

We reverse Sephus's judgment with respect to imposition of the three prior prison term (section 667.5, subdivision (b)) sentence enhancements and the matter is remanded and the superior court ordered to determine whether to impose or strike those enhancements. In all other respects, the judgment is affirmed. After resentencing, the superior court shall amend the abstract of judgment accordingly and forward a copy of the amended abstract of judgment to the Department of Corrections. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D035133 In re Munoz on Habeas Corpus

The petition is dismissed as moot without prejudice to refile should petitioner still be subjected to sentencing ramifications under the three strikes law.

D032291 People v. Dinkins

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Nares, J.

D032619 People v. Odoms

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D035035 Tasha M. v. San Diego County Superior Court/San Diego County Health and Human Services

Petition denied. O'Rourke, J.; We Concur: Kremer, P.J., Work, J.

D035328 Caliph, Inc. v. Fisher/Kondrick

The appeal is dismissed without prejudice to filing a notice of appeal after judgment is entered.

D032977 Smith et al. v. Morgan et al.

D033144 Morgan et al. v. Smith et al.

D033226 Morgan et al. v. Smith et al.

The request for publication is denied.